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Letter dated 21 June 2005 from the Permanent Representative of the Democratic Republic of the Congo to the United Nations addressed to the President of the Security Council

On instructions from my Government, I have the honour to transmit to you herewith the text of the Joint Decision of the National Assembly and the Senate, extending the duration of the Transition in the Democratic Republic of the Congo, and its annex I containing the tentative schedule of elections.

I should be grateful if you would have this letter and its annexes circulated as a document of the Security Council.

(*Signed*) Atoki **Ileka**
Permanent Representative
Ambassador

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Annex to the letter dated 21 June 2005 from the Permanent Representative of the Democratic Republic of the Congo to the United Nations addressed to the President of the Security Council

Democratic Republic of the Congo

National Assembly and Senate

Kinshasa/Lingwala

Joint decision

No. 001/D.C./AN/SEN/05 of 17 June 2005
on the extension of the duration of the Transition

Palais du Peuple

June 2005

Joint decision No. 001/D.S./AN/SEN/05 of 17 June 2005

Extending the duration of the transition

The National Assembly and the Senate, jointly,

In view of the Comprehensive and All-Inclusive Agreement on the Transition in the Democratic Republic of the Congo,

In view of the Transitional Constitution, in particular, its articles 97 and 196, paragraph 2,

In view of the request from the Independent Electoral Commission (IEC) filed with the Offices of the National Assembly and the Senate on 15 June 2005, seeking to extend the Transition for the purpose of organizing free, democratic and transparent elections in the Democratic Republic of the Congo in the best conditions,

Considering that, under the provisions of the Global and All-Inclusive Agreement, particularly its section IV, and of the Transitional Constitution, in particular, article 196, paragraph 1, the duration of the Transition was to be 24 months, starting from the formation of the Transitional Government and ending with the inauguration of the President of the Republic after the elections,

Further considering that, in accordance with the provisions of section IV of the Global and All-Inclusive Agreement, article 196, paragraph 2, of the Transitional Constitution provides that the National Assembly and the Senate may extend the Transition for another six months, renewable once, by a well-founded joint decision of the Senate and the National Assembly because of problems specifically linked to the organization of the elections, on the recommendation of the Independent Electoral Commission,

That, as the Transitional Government was formed on 30 June 2003, the duration of 24 months expires on 30 June 2005,

That, at this juncture in the Transition, the general feeling is that certain objectives of the Transition linked to the organization of elections, as set out by the Global and All-Inclusive Agreement, have not been fully attained, and elections culminating in the establishment of a new political and democratic order in the Democratic Republic of the Congo could not be organized during the initial Transition period,

That, as a result, the Independent Electoral Commission submitted the above request to the National Assembly and the Senate on 15 June 2005,

That the President of the Independent Electoral Commission is basing his request, in particular, on the following main reasons:

1. The technical requirements linked to the procurement of identification and voter registration materials;

2. The amount of time needed to procure and deploy material, train electoral staff, carry out voter identification and registration operations, handle disputes arising from pre-electoral operations and adopt the electoral law;

3. The need for a reasonable time period to raise awareness and mobilize the population;

4. The operational difficulties of the Independent Electoral Commission owing to, inter alia, an insufficient infrastructure and meagre budget; and

5. Logistical and security constraints,

That, despite these difficulties, the President of the Independent Electoral Commission has nonetheless recognized the unequivocal desire of the leaders of the Transitional institutions and international partners to support the Transition process and ensure its smooth conclusion,

Considering that, having examined the arguments put forward by the Independent Electoral Commission, and in view of what has already been accomplished by the Transitional institutions, particularly as regards lawmaking and government provision of logistical and financial resources with considerable help from external partners, the National Assembly and the Senate, having debated the matter, are of the view that the request by this institution supporting democracy should be honoured in order to complete the efforts already made to resolve a few outstanding problems specifically linked to the organization of the elections, in particular:

– the organization of the constitutional referendum,

– the adoption of the electoral law,

– the mobilization of material, financial and human resources,

– the full integration of the army, police and security services,

– complete restoration of government authority over the national territory, and

– the finalization of security measures essential to the protection of persons and their property;

Considering the conclusion by the National Assembly and the Senate that the conditions for extending the duration of the Transition by a well-founded joint decision on their part, laid down in article 196, paragraph 2, of the Transitional Constitution, have been met,

Considering that it is appropriate to grant an extension of the Transition period for six months as from 1 July 2005, on the recommendation of the Independent Electoral Commission, renewable once, and that this period shall expire on the inauguration of the President after the elections,

That it is also appropriate to note the tentative schedule of elections, drawn up by the Independent Electoral Commission, which the National Assembly and Senate urge national institutions and the international community to respect and scrupulously enforce,

In view of the urgency,

On the recommendation of the Independent Electoral Commission,

Decide

Article 1

The Transition period in the Democratic Republic of the Congo is extended for six months as from 1 July 2005, in accordance with article 196, paragraph 2, of the Transitional Constitution.

On the recommendation of the Independent Electoral Commission, this period shall be renewable once and shall expire on the inauguration of the President of the Republic after these elections.

Article 2

This joint decision shall enter into force on 1 July 2005 and shall be published in the Official Journal.

Done in Kinshasa, 17 June 2005.

(signature)
Mgr Pierre **Marini Bodho**
President of the Senate

(signature)
Olivier **Kamitatu Etsu**
President of the National Assembly

Democratic Republic of the Congo

Independent Electoral Commission

I.E.C.

Annex 1

Tentative schedule of elections

Independent Electoral Commission

Tentative schedule of elections

Type of election	*Duration*	*Beginning on*	*Ending on*
1. Referendum	**297 days**	**06/05/05**	**26/02/06**
1.1 Legal framework	**44 days**	**13/05/05**	**25/06/05**
1.1.1 Adoption of draft Constitution	1 day	13/05/05	13/05/05
1.1.2 Adoption of referendum law	1 day	14/06/05	14/06/05
1.1.3 Promulgation of referendum law	1 day	26/06/05	26/06/05
1.1.4 Regulations	1 day	01/06/05	01/06/05
1.2 Planning	**190 days**	**15/06/05**	**21/12/05**
1.2.1 Implementation of logistical and security plans	190 days	15/06/05	21/12/05
1.3 Administration of polling centres and stations and of compilation centres	**266 days**	**06/05/05**	**26/01/06**
1.3.1 Identification of polling stations	15 days	06/05/05	20/05/05
1.3.2 Elaboration of procedures	60 days	26/06/05	24/08/05
1.3.3 Publication of operations manuals	63 days	01/08/05	02/10/05
1.3.4 Preparation of manuals and implementation of training plan	179 days	01/08/05	26/01/06
1.3.5 Training of the polling station staff	**6 days**	**21/11/05**	**26/11/05**
1.4 Administration of electoral material	162 days	02/06/05	10/11/05
1.4.1 Design and specification of documents and electoral material	15 days	02/06/05	16/06/05
1.4.2 Procurement of electoral kits	90 days	04/07/05	01/10/05
1.4.3 Deployment of material	40 days	02/10/05	10/11/05
1.5 Notification of voters and referendum campaign	**30 days**	**28/10/05**	**26/11/05**
1.5.1 Notification of voters	1 day	28/10/05	28/10/05
1.5.2 Referendum campaign	30 days	28/10/05	26/11/05
1.6 Observation and witnesses	**125 days**	**25/07/05**	**26/11/05**
1.6.1 Accreditation of national and international observers	124 days	26/07/05	26/11/05
1.6.2 Accreditation of witnesses	125 days	25/07/05	26/11/05
1.7 Civic education, awareness-raising and information	**271 days**	**01/06/05**	**26/02/06**
1.7.1 Translation and dissemination	271 days	01/06/05	26/02/06
1.7.2 Ballots and voting procedures	59 days	01/06/05	29/07/05
1.8 Election day	**1 day**	**27/11/05**	**27/11/05**
1.9 Compilation and announcement of results by IEC	**7 days**	**28/11/05**	**04/12/05**
1.10 Disputes	**9 days**	**04/12/05**	**12/12/05**
1.11 Proclamation of results by the Supreme Court of Justice	**1 day**	**13/12/05**	**13/12/05**
1.12 Promulgation of the Constitution	**1 day**	**13/12/05**	**13/12/05**
1.13 Recovery and inventory	**10 days**	**28/11/05**	**07/12/05**
2. Other elections (National Assembly, provincial elections and first round of presidential elections)	**154 days**	**14/12/05**	**16/05/06**
2.1 Legal framework	**1 day**	**14/12/05**	**14/12/05**
2.1.1 Promulgation of the electoral law	1 day	14/12/05	14/12/05

Type of election		*Duration*	*Beginning on*	*Ending on*
2.2	**Planning**	**146 days**	**22/12/05**	**16/05/06**
2.2.1	Implementation of logistical and security plans	146 days	22/12/05	16/05/06
2.3	**Administration of polling centres and stations and of compilation centres**	**32 days**	**14/12/05**	**14/01/06**
2.3.1	Reprinting of electoral lists by polling stations	32 days	14/12/05	14/01/06
2.4	**Administration of operations**	**34 days**	**15/12/05**	**17/01/06**
2.4.1	Establishment of voting districts	11 days	15/12/05	25/12/05
2.4.2	Registration of candidates	15 days	30/12/05	13/01/06
2.4.3	Revision and publication of the list of candidates	9 days	09/01/06	17/01/06
2.4.4	Notification of voters	1 day	15/12/05	15/12/05
2.5	**Handing of voting material**	**76 days**	**08/02/06**	**24/04/06**
2.5.1	Design and publication of electoral documents (ballots, minutes, etc.)	30 days	08/02/06	09/03/06
2.5.2	Assembly and deployment of material	24 days	04/03/06	27/03/06
2.5.3	Recovery and inventory	8 days	17/04/06	24/04/06
2.6	**Electoral campaign**	**30 days**	**30/01/06**	**28/02/06**
2.7	**Observation and witnesses**	**77 days**	**30/01/06**	**16/04/06**
2.7.1	Accreditation of national and international observers	77 days	30/01/06	16/04/06
2.7.2	Accreditation of witnesses	58 days	30/01/06	28/03/06
2.8	**Civic education, awareness-raising and information**	78 days	02/01/06	20/03/06
2.9	**Balloting for all three elections**	**2 days**	**20/03/06**	**21/03/06**
2.10	**Counting of votes, compilation and provisional announcement and proclamation of results**	**20 days**	**26/04/06**	**15/05/06**
3.	**Presidential election (second round) and senatorial election (indirect election by provincial assemblies)**	**36 days**	**11/04/06**	**16/05/06**
3.1	Printing and issuance of ballots	19 days	11/04/06	29/04/06
3.2	Balloting (presidential election, second round)	1 day	30/04/06	30/04/06
3.3	Vote count and results	14 days	01/05/06	14/05/06
3.4	Compilation and announcement of provisional results	1 day	15/05/06	15/05/06
3.5	Proclamation of results	1 day	16/05/06	16/05/06